

Entered - 06/11/01 - sb
CL01L0355 - DIANNE C. MITCHELL

CLAIM OF: LAKETA JOHNSON,
through her attorney,
Robert Altman
1355 Peachtree Street
Suite 1560
Atlanta, Georgia 30309

01- R-1412

For damages alleged to have been sustained as a result of a vehicular
accident on May 24, 2001 at 437 Moreland Avenue.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0355

Date: August 29, 2001

Claimant /Victim LAKETA JOHNSON
BY: (Atty.) Robert Altman
Address: 1355 Peachtree Street, Suite 1560, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 006/0701 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/24/01 Place: 437 Moreland Avenue
Department Police Division:
Employee involved Robert Borradaile Disciplinary Action: No Action Taken

NATURE OF CLAIM: The claimant alleges that she was damaged due to a vehicular accident with a City employee. However, the claimant's attorney has failed to provide requested information necessary to substantiate her claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

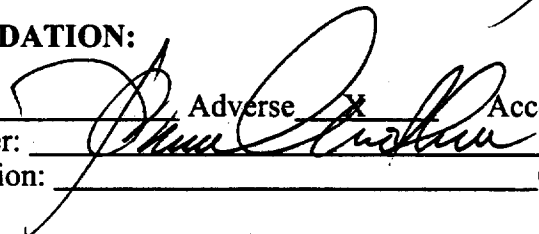
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 10/29/01
Committee Action: Council Action



ROBERT ALTMAN
ATTORNEY AT LAW

Mitchell
06/11/01
[Signature]

RECEIVED JUN 7 2001

June 4, 2001

CERTIFIED MAIL NO. Z-128 472
RETURN RECEIPT REQUESTED

City of Atlanta Law Department
Attn: Claims
68 Mitchell Street
Suite 4100 - 14th Floor
Atlanta, Georgia 30335-0332

ENTERED - 06-11-01 - DP
01L0355 - DIANNE MITCHELL

Re: Our Client: Laketa Johnson
Officer Name: Robert Borradaile, Atlanta Police Department
APD ID No.: 3196
Date of Collision: May 24, 2001

Dear Sir or Madam:

Please be informed that I represent Ms. Laketa Johnson in connection with all claims arising from the above-referenced collision. Therefore, all communications regarding this claim should be directed to this office. For your reference, a copy of the police report is enclosed.

/

We are in the process of obtaining Ms. Johnson's medical records and bills incurred to date, and we will keep you informed of the course of our client's medical treatment. We will also provide you with information regarding our client's loss of wages and other special damages. Please let us know if you will promptly adjuster our client's damage claim.

We ask that you comply with all provisions of the Georgia Unfair Claims Settlement Practices Act, which prohibits, in part:

1) Not attempting to effectuate prompt, fair and equitable settlement of claims submitted in which liability has become reasonably clear; and

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ATTORNEY AT LAW

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June 4, 2001

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2) Compelling insureds or beneficiaries to institute suits to recover amounts due under its policies by offering substantially less than the amounts ultimately recovered in suits brought by them.

Further, pursuant to the provisions of the Georgia Unfair Claims Settlement Practices Act, we request:

- 1) That you affirm or deny coverage for this claim;
- 2) That you indicate the coverage under which each payment you make is made;
and
- 3) That you promptly provide a reasonable and accurate explanation of the basis for any claim denial or offer of compromise settlement.

Please provide us with your position regarding liability as quickly as possible.

This letter also constitutes a request for information regarding liability insurance coverage pertaining to the above-dated collision pursuant to O.C.G.A. § 33-3-28.

We assert that our client was injured due to the negligence of Officer Borradaile.

I hereby request a statement, under oath, of a corporate officer or the insurer's claims manager stating with regard to each known insurance policy issued by it which might cover my client's claim, including excess or umbrella insurance, the name of the insurer, the name of each insured, and the limits of coverage. Such insurer may provide a copy of the declaration page of each such policy in lieu of providing such information.

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Also note that you have a duty to amend your response upon the discovery of facts inconsistent with or in addition to information provided.

Please contact my office if you have any questions or wish to discuss this case.

Thank you for your assistance.

Very truly yours,



ROBERT ALTMAN

Sworn to before me this _____
day of _____, 2001.

Notary Public

RA/mg

cc: Ms. Laketa Johnson

01-R-1412

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